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HUMAN VIVISECTION, (12)

THREE SHORT LETTERS

ON

JURIDICAL SLAUGHTER,

BY

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Bathing their hands in blood in the name of the God of all mercy.—BECCARIA, *On Crimes and Punishments*.

SECOND ISSUE.

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The surest, though most difficult, means to render men better, is to perfect
education. *Code*, Catherine II., § 248.

P R E F A C E .

What right have men to cut the throats of their fellow creatures. The punishment of death is neither necessary nor useful.—BECCARIA.

THROUGH the courtesy of the conductors of the Belfast Press, the following three letters, on Capital Punishment, appeared in their columns.

The punishment of death the writer holds to be juridical slaughter. Juridical slaughter is the taking away of human life, justified by human law indeed, but not justified by the law of God which urges mercy not bloodshed, reform not vengeance.

We should be warranted in taking the life of the murderer or the burglar in the act of committing his crime, if we could not arrest his action otherwise, as we are warranted in taking the life of a mad dog, a cobra, or a wolf. But when the criminal is entirely within our power, his execution, I maintain, becomes a butchery, and the perpetrators become criminal.

We are bound, if we can, to rehabilitate the evil doer, to show him how he has run counter to the law of God, and convince him that he is required to make reparation to his fellows for his guilt. His malady is a species of insanity, moral insanity, insanity of the

heart, as ordinary insanity is insanity of the mind, idiotcy insanity of the nervous organism, and does not call for the halter or the knife, but for moral remedies and, if it be possible, a moral cure.

But the murderer, the criminal, we have been told, is not fit to live. Is he, then, fit to die. Indeed, if it come to that, who among us is entirely fit to live or entirely fit to die. We all, more or less, have need of the mercies of God, of the forgiveness of our fellows. And if the guilt of our brother be great, so much the greater, also, is his need of the divine compassions and the good offices of his kind:

BELFAST, *6th May*, 1876.

CAPITAL PUNISHMENTS.

In England they ripped open the body of a man guilty of high treason, tore out his heart, dashed it in his face, then threw it into the fire.—BECCARIA.

I.

ONE amongst us, one of this community, has been condemned to die. His crime is the most signal, the most aggravated, of which a human being could be guilty. He has been adjudged not fit to live, but, is he fit to die. It seems to me a desecration of its great majesty, to subject any criminal to death. Daly, let us remember, was once an innocent child. He has been rendered responsible for his crime. But why was he criminal. There is a period in the lives of all men, in which the soul, just like soft wax, may be moulded for good or for ill. A great authority has said, train up a child in the way he should go, and when he is old, he will not depart from it. There is no more divine, no more certain truth. Now, Daly was not so trained. Had he been so trained, he would not have become the monster of iniquity which he has proved. But who is responsible? We are responsible. Every one who has to do with the training and management of

the young is responsible. I say it is disgraceful to us, disgraceful to the town of Belfast, that such a being should be reared among us. But, he is not the only Daly, and, moreover, multitudes of unheeded, uncared for children are this moment, in Belfast, in preparation to become the Dalys of the future. All children, then, should be subjected to the most careful compulsory culture. And, meantime, I submit that Daly ought not to be put to death.

II.

CAPITAL punishments, enacted by our savage ancestors, along with some other dreadful things, are remnants of a barbarous age. The day will be sure to come when they shall be looked upon with the abhorrence with which we now regard the bloody "customs" of Dahomey. You are not hanged, said a judge once to a condemned sheepstealer, in reply to his piteous remonstrance, for stealing sheep, but that sheep may not be stolen. The argument of this oracle in scarlet was invalid as it was heartless. Capital punishments do *not* deter. That they do not, let the dreadful rollcall of crime at the present time declare. The bloody code, however, is much mitigated. We all remember the cases of Dodd and Fontleroy. This very nineteenth century, a young woman, whose husband, her sole support, had been torn away by the pressgang, was hanged in open day, the milk running from the poor things breasts, and for what. Because the frenzied starving creature, babe in arms, had gone into a bakers shop, and, taking

up a loaf, did eat. No greater outrage on humanity, than her execution, was ever committed in any land. The guilt must lie at Englands door for ever. It is the fault of society, our fault, that criminals abound. With proper sequential culture, from infancy up, no one would go materially astray. Statists have remarked that when men reach the age of twenty without crime, they rarely err afterwards. Croftons great successes show that criminals themselves are far from irreclaimable. Nor is his, the only experience. Capital punishments, the gibbet, the halter and the scourge, outrage humanity and the mercies of the Almighty.* They taint justice, and even the consenting community, itself with crime, and with the subornation of assassination and crime, in the person of the executioner. That they may be for ever abolished, is my most earnest unceasing prayer.

III.

IF it were not for the grace of God, there goes John Bunyan, there goes Robert Hall, on seeing a criminal led to execution, exclaimed these justly eminent persons, for the story is related of both of them. But John Bunyan and Robert Hall knew as well as I know, that without culture of heart and soul from infancy up, that grace which God extends to all men, avails not. With such culture men would

*When I left for Africa almost the last sight I witnessed on the River Thames, was that of men hanging in chains. And when I reached Africa, almost the first sight I encountered was similarly that of men hanging in chains, defiling the landscape, an insult to the providence of God.

become, not malefactors or outcasts, but angelic men, such as, in their measure, were John Bunyan and Robert Hall. It is those who neglect the education of the young who deserve to be hung, if, indeed, any deserve it, and not the criminals who become criminal through such default, and such default only. The influence of circumstances, so potent in education and training, leads progressively to that self control which, through the fiat of the Almighty, proves so effective a barrier to wickedness and sin. The criminal becomes criminal by reason of the abominable circumstances in which he is placed and left. He becomes wicked and criminal because he is exposed to wickedness and criminality, just as a person becomes feverstricken or plaguesmitten, when exposed to fever or plague. And, seeing that we are masters of his person, it seems as irrational and as inhuman to execute the criminal as it would be to execute a person for contracting fever or plague. Fanaticism may shriek for blood, prejudice declaim, ignorance rear its stolid front, and apathy turn away, but a time, I am persuaded, will not the less assuredly arrive, when universal compulsory unsectarian education shall render "criminal classes" impossible, when the frightful outrages which, in spite of our prodigious means and appliances, now infest and degrade society, will cease, and capital punishments be all unknown.